

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

RICHARD CORREA and
JOEL MINAYA,

Defendants.

PROSECUTOR'S COPY

USDC SDNY
DOCUMENT
~~INDICTMENT~~
ELECTRONICALLY FILED
07 CR DOC # 1191CJ

08 CRIM 033

COUNT ONE

The Grand Jury charges:

1. In or about January 2006, in the Southern District of New York and elsewhere, RICHARD CORREA and JOEL MINAYA, the defendants, and others known and unknown, unlawfully, intentionally and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that RICHARD CORREA and JOEL MINAYA, the defendants, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, five kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

OVERT ACTS

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others,

were committed in the Southern District of New York, and elsewhere:

a. On or about February 7, 2006, in White Plains, New York, RICHARD CORREA, the defendant, travelled in a cargo van containing approximately 82 kilograms of cocaine.

b. On or about February 7, 2006, in White Plains, New York, JOEL MINAYA, the defendant, travelled in a cargo van to pick up 82 kilograms of cocaine.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION AS TO COUNT ONE

4. As a result of committing one or more of the controlled substance offenses alleged in Count One of this Indictment, RICHARD CORREA and JOEL MINAYA, the defendants, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Indictment.

5. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value;
or

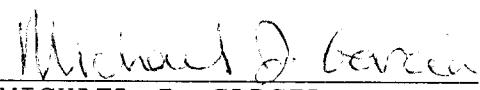
e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1) and 853.)



FOREPERSON



MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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(Title 21, United States Code,
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MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL

Thomas P. Engen
Foreperson.
